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Title 3—THE PRESIDENT

Executive Order 10799

PROVIDING FURTHER FOR THE ADMINISTRATION OF THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954, AS AMENDED

By virtue of the authority vested in me by section 301 of title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

SECTION 1. Section 4(a) of Executive Order No. 10560 of September 9, 1954, as amended, is hereby further amended by deleting "paragraphs (a) to (j), inclusive" and by inserting in lieu thereof the following: "paragraphs (a) to (k), inclusive."

SEC. 2. Section 4(d) of Executive Order No. 10560 is hereby amended by adding at the end thereof the following:

"(10) Those under section 104(k) of the Act by the Director of the National Science Foundation and such other agency or agencies as the Director of the Bureau of the Budget, after consultation with the Director of the National Science Foundation, may designate."

SEC. 3. The Director of the Bureau of the Budget shall allocate among the National Science Foundation and any other agencies designated pursuant to section 4(d)(10) of Executive Order No. 10560 (as added by section 2 of this order) the sum of \$5,100,000 appropriated to the President by the provisions of Chapter VI of the Supplemental Appropriation Act, 1959 (Public Law 85-766) appearing under the subheading "Translation of publications and scientific cooperation."

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
January 15, 1959.

[F.R. Doc. 59-542; Filed, Jan. 16, 1959; 3:05 p.m.]

Executive Order 10800 IMPLEMENTING THE GOVERNMENT EMPLOYEES TRAINING ACT

By virtue of the authority vested in me by section 301 of title 3 of the United States Code and by the Government Employees Training Act (72 Stat. 327), it is ordered as follows:

SECTION 1. As used in this order, the term "Act" means the Government Employees Training Act (72 Stat. 327), and the terms "Government," "department," "employee," "Commission," and "training" have the meanings given to those terms, respectively, by section 3 of the Act.

SEC. 2. The head of each department shall, consonant with the Act, this order, and the regulations of the Civil Service Commission issued pursuant to the Act and section 5 of this order:

(a) review periodically the immediate and long-range needs of the department for employee training and in so doing take special care to identify those instances in which training will increase the economy and efficiency of departmental operations;

(b) formulate plans of action to meet such training needs;

(c) establish and maintain, to the maximum extent feasible, needed training programs;

(d) establish adequate administrative controls to insure that training improves the performance of employees, and contributes to the economy, efficiency, and effective operation of the department and to the attainment of its program goals;

(e) stimulate and encourage employee self-development and self-training;

(f) utilize the training facilities and services of other departments to the extent practicable, provide training facilities and services to other departments when practical and without interference with the department's mission, and cooperate in the development of interdepartmental employee training activities; and

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(g) approve the acceptance of any contributions, awards, or payments to employees authorized by section 19(a) of the Act and regulations issued by the Commission pursuant to section 5(b) of this order only when the department head deems such contributions, awards or payments appropriate to meet reasonable costs incurred or to be incurred by the recipient incident to the training or attendance at a meeting and when, in the view of the department head, the purpose, amount and type of contribution, award or payment would not place or tend to place the recipient under any improper obligation to the grantor.	
Sec. 3. There is hereby delegated to the heads of departments, severally and in respect of the employees of the respective departments, the authority, vested in the President by section 3(7) of the Act, to designate foreign governments or international organizations, or instrumentalities of either, as eligible to provide training under the Act; provided that each such designation shall be made only after the department concerned has obtained and given due consideration to the advice of the Department of State thereon.	
Sec. 4. The following-described functions, vested in the President by the Act, are hereby delegated to the Commission:	
(a) The authority, under section 4(b) of the Act, (1) to designate any department or part thereof, or any employee or employees therein, as excepted from the Act or any provision of the Act other than sections 4, 19(c), 21, 22, and 23(a), and (2) to designate any such department or part thereof, or any such employee or employees therein, so excepted by the Commission, as again subject to the Act or any such provision of the Act.	
(b) The authority, under section 19(a) of the Act, to fix by regulation the extent to which the contributions, awards, and payments referred to in the said section 19(a) may be made to and accepted by employees.	
Sec. 5. (a) In performing functions vested in it by the Act or delegated to it by this order, the Commission shall consult with the Special Assistant to the President for Personnel Management.	
(b) The Special Assistant to the President for Personnel Management may, from time to time and partly or wholly, (1) exclude any specific matter or matters from the operation of the provisions of subsection (a) of this section, and (2) terminate any exclusion effected under this subsection (b).	
DWIGHT D. EISENHOWER	
THE WHITE HOUSE,	
January 15, 1959.	
[F.R. Doc. 59-543; Filed, Jan. 16, 1959; 3:05 p.m.]	

RULES AND REGULATIONS

Title 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES AND OTHER OPERATIONS

PART 421—GRAINS AND RELATED COMMODITIES

[1957 C.C.C. Grain Price Support Extended Reseal Loan Bulletin]

Subpart—1957-Crop Extended Reseal Loan Program for Barley, Corn, Oats and Wheat

An extended reseal loan program has been announced for the 1957 crops of barley, corn, oats and wheat. The 1957 C.C.C. Grain Price Support Bulletin 1 (22 F.R. 2321) issued by the Commodity Credit Corporation and containing the general requirements with respect to price support operations for grains and related commodities produced in 1957 supplemented for barley, corn, oats and wheat containing the specific requirements for the 1957-crop price support programs for these commodities are hereby further supplemented as follows:

Sec.

- 421.2864 Applicable sections of 1957 C.C.C. Grain Price Support Bulletin 1 and commodity supplements.
- 421.2865 Availability.
- 421.2866 Eligible producer.
- 421.2867 Eligible commodity.
- 421.2868 Approved storage.
- 421.2869 Quantity eligible for extended reseal.
- 421.2870 Service charges.
- 421.2871 Transfer of producer's equity.
- 421.2872 Personal liability of the producer.
- 421.2873 Storage and track-loading payments.
- 421.2874 Maturity and satisfaction.
- 421.2875 Support rates, premiums and discounts.

AUTHORITY: §§ 421.2864 to 421.2875 issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 301, 401, 63 Stat. 1051, 1054; 15 U.S.C. 714, 7 U.S.C. 1441, 1442, 1421, 1447.

§ 421.2864 Applicable sections of 1957 C.C.C. Grain Price Support Bulletin 1 and commodity supplements.

The following sections of the 1957 C.C.C. Grain Price Support Bulletin 1 published in (22 F.R. 2321) shall be applicable to the 1957 extended reseal loan programs for barley, corn, oats and wheat: §§ 421.2201, 421.2208, 421.2210, as amended by Notice published in 23 F.R. 8439; §§ 421.2211, 421.2213, 421.2214; §§ 421.2215, 421.2217, and 421.2219. Applicable sections of the individual commodity supplements are as follows: for barley, §§ 421.2280 and 421.2281 (22 F.R. 2971 and 6611); for corn, §§ 421.2340 and 421.2341 (22 F.R. 5521); for oats, §§ 421.2480 and 421.2481 (22

F.R. 2875); and for wheat, §§ 421.2240 and 421.2241 (22 F.R. 2405 and 5733). Other sections of the 1957 C.C.C. Grain Price Support Bulletin 1 and supplements thereto for barley, corn, oats and wheat shall be applicable to the extent indicated in this subpart.

§ 421.2865 Availability.

(a) *Area and scope.* The extended reseal loan program will be available in the following areas where 1957-crop barley, corn, oats or wheat are under reseal loan and where ASC State committees determine that there may be a shortage of storage space, that the commodity can be safely stored on the farm for the period of the extended reseal loan and that it will be advantageous to producers and CCC to permit producers to obtain extended reseal loans:

Name of commodity and area

Barley, Oats, and Wheat: Arizona, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, New York, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming.

Corn: In all counties in the Continental United States where 1957-crop corn is under reseal loan except in angoumois moth areas designated by the ASC State committee.

Neither warehouse-storage loans nor purchase agreements will be available to producers under this program.

(b) *Time and source.* The producer who has a reseal loan and who desires to extend such loan must make application to the office of the county committee which approved his reseal loan before the final date for delivery specified in the delivery instructions issued to him by the office of the county committee.

(c) *New forms.* Where required by State law a new producer's note and chattel mortgage shall be completed when a farm-storage loan is re-extended. Where new forms are not completed re-extension of the farm-storage loan shall not affect the rights of CCC including its right to accelerate the maturity date of the note and the rights and responsibilities of the producer as set forth in this subpart and in the original forms completed by the producer.

§ 421.2866 Eligible producer.

An eligible producer shall be any individual, partnership, association, corporation, estate, trust, or other business enterprise or legal entity and wherever applicable a State, political subdivision of a State, or any agency thereof producing barley, corn, oats or wheat in 1957 as landowner, landlord, tenant, or share-cropper who has in effect a farm-storage reseal loan on such crop.

§ 421.2867 Eligible commodity.

(a) *Requirements of eligibility.* The commodity (1) must be in farm-storage presently under reseal loan and (2) must meet the following quality eligibility requirements:

Name of commodity and eligibility requirements

Barley: The barley must meet the requirements set forth in § 421.2278 (a), (b), and (c).

Corn: The corn (1) must meet the requirements set forth in § 421.2338 (a), (b), (c), (d) and (e) (3); (2) must grade No. 3 or better or No. 4 on the factor of test weight only, but otherwise No. 3 or better, and must contain not in excess of 15.5 percent moisture in the case of ear corn nor in excess of 13.5 percent moisture in the case of shelled corn.

Oats: The oats must meet the requirements set forth in § 421.2478 (a), (b) and (c).

Wheat: The wheat (1) must meet the requirements set forth in § 421.2238 (a), (b), (c), and (d) and must not grade Tough, Weevily, Ergoty or treated.

(b) *Inspection.* If a producer makes application to extend his reseal loan, the commodity loan inspector shall inspect the commodity and the storage structure in which the commodity is stored, obtain a sample of the commodity if the commodity and structure appear eligible and submit it for grade analysis, except that in the case of ear corn a sample need be taken and submitted for grade analysis only if recommended by either the commodity loan inspector or the producer.

§ 421.2868 Approved storage.

For any extended reseal loans the commodity must be stored in structures which meet the requirements for farm-storage loans as provided in § 421.2206(a). Consent for storage for any reseal loans extended must be obtained by the producer for a period of 60 days following the applicable maturity date of the extended reseal loans for the commodity, if the structure is owned or controlled by someone other than the producer, or if the lease expires prior to 60 days following the maturity date of the extended reseal loan.

§ 421.2869 Quantity eligible for extended reseal loan.

The quantity of the commodity eligible for an extended reseal loan will be the quantity shown on the original note and chattel mortgage less any quantity delivered or redeemed.

§ 421.2870 Service charges.

When a reseal loan is extended, the producer will not be required to pay an additional service charge.

§ 421.2871 Transfer of producer's equity.

The producer shall not transfer either his remaining interest in or his right to redeem a commodity mortgaged as security for an extended reseal loan nor shall anyone acquire such interest or right. Subject to the provisions of § 421.2217 regarding partial redemption of loans, a producer who wishes to liquidate all or part of his loan by contracting for the sale of the commodity must obtain written prior approval of the county committee on Commodity Loan Form 12 to remove the commodity from

storage when the proceeds of the sale are needed to repay all or any part of the loan. Any such approval shall be subject to the terms and conditions set out in Commodity Loan Form 12, copies of which may be obtained by producers or prospective purchasers at the office of the county committee.

§ 421.2872 Personal liability of the producer.

The making of any fraudulent representation of the producer in the loan documents or in obtaining the loan, or the conversion or unlawful disposition of any portion of the commodity by him, may render the producer subject to criminal prosecution under the Federal Law and shall render him personally liable for the amount of the loan (including interest as provided in § 421.2211) and for any resulting expense incurred by any holder of the note. A producer shall be personally liable for any damage resulting from tendering to CCC any commodity containing mecurial compounds or other substances poisonous to man or animals which is inadvertently accepted by CCC.

§ 421.2873 Storage and track-loading payments.

(a) *Storage payment for 1958-59 storage period.* (1) A producer who extended his farm-storage loan will at the time of extension of the resale loan receive a payment for storage earned during the resale loan 1958-59 storage period. This payment will be disbursed by the ASC county office and will be computed as follows:

Name of commodity	Area	Amount
Barley and corn.	All States.....	16 cents per bushel.
Oats.....	do.....	12 cents per bushel.
Wheat.....	States comprising area I and II under UGSA.	16 cents per bushel.
Do.....	States comprising area III and IV under UGSA.	17 cents per bushel.

(2) Upon delivery of 1957-crop barley, corn, oats or wheat to CCC the actual quantity of such commodity held in farm storage under the extended resale loan program will be determined by weighing. A storage payment previously made to the producer at the time the resale loan was extended covering the 1958-59 storage period will then be recomputed on the basis of actual quantity determined to have been covered by the extended resale loan. Any amount due the producer for such storage on the quantity delivered in excess of the quantity stated in the extended resale loan documents will be regarded as an additional credit in effecting settlement with the producer. The amount of any overpayment which is determined to have been made to the producer at the time the resale loan was extended shall be collected from the producer.

(3) No storage payment will be made for the 1958-1959 resale loan period (i) where the producer has made any false representation in the loan documents or in obtaining the loan, (ii) where during or prior to the 1958-59 resale loan period, the commodity has been abandoned or

the commodity was damaged or otherwise impaired due to negligence on the part of the producer, or (iii) where during or prior to the 1958-59 resale loan period the commodity was converted by the producer or at any time subsequent thereto there was conversion of the commodity by the producer with intent to defraud CCC.

(b) *Storage payment for 1959-60 storage period.* A storage payment for the 1959-60 extended resale storage period will be made as follows:

(1) *Storage payment for full extended resale period.* A storage payment will be made to the producer on the quantity involved if he (i) redeems the commodity from the loan on or after the maturity date of the extended resale loan, (ii) delivers the commodity to CCC on or after the maturity date of the extended resale loan, or (iii) delivers the commodity to CCC prior to the maturity date of the extended resale loan pursuant to demand by CCC for repayment of the loan solely for the convenience of CCC. Such storage payment will be computed as follows:

Name of commodity	Area	Amount
Barley and corn.	All States.....	16 cents per bushel.
Oats.....	do.....	12 cents per bushel.
Wheat.....	States comprising area I and II under UGSA.	16 cents per bushel.
Do.....	States comprising area III and IV under UGSA.	17 cents per bushel.

(2) *Prorated storage payment.* A storage payment determined by prorating the yearly rate according to the length of time the commodity was in store for the period beginning 60 days subsequent to the maturity date applicable to the resale loan (March 31, 1959, for wheat; April 30, 1959, for barley and oats, except for barley in Arizona and California March 10, 1959; and July 31, 1959, for corn) will be made to the producer, (i) in the case of loss assumed by CCC under the provisions of the loan program, (ii) in the case of the commodity redeemed from extended resale loans prior to the maturity date of the extended resale loan and (iii) in the case of the commodity delivered to CCC prior to the maturity date of the extended resale loan pursuant to CCC's demand and not solely for the convenience of CCC or upon the request of the producer and with the approval of CCC. The prorated storage payment will be computed as follows but shall not exceed the amount specified in subparagraph (1) of this paragraph:

Name of commodity	Area	Rate per day
Barley and corn.	All States.....	\$0.00053 per bushel.
Oats.....	do.....	0.00039 per bushel.
Wheat.....	States comprising area I and II under UGSA.	0.00053 per bushel.
Do.....	States comprising area III and IV under UGSA.	0.00056 per bushel.

In the case of losses assumed by CCC the period for computing the storage pay-

ment will end on the date of the loss; and in the case of redemptions, on the date of repayment.

(3) *No storage payments.* Notwithstanding the provisions of this paragraph in no case will any storage payment be made for the 1959-60 extended resale loan storage period where the producer has made any false representation in the loan documents or in obtaining the loan or where during or prior to such period, (i) the commodity has been abandoned, (ii) there has been conversion on the part of the producer, or (iii) the commodity was damaged or otherwise impaired due to negligence on the part of the producer.

(c) *Track-loading payment.* A track-loading payment of 3 cents per bushel will be made to the producer on barley, corn, oats and wheat delivered to CCC in accordance with instructions of the county committee, on track at a country point.

§ 421.2874 Maturity and satisfaction.

Loans will mature on demand but not later than March 31, 1960, for wheat; April 30, 1960, for barley and oats (March 10, 1960, for barley in Arizona and California); and July 31, 1960, for corn. The producer must pay off his loan, plus interest, on or before the maturity of the loan or deliver the mortgaged commodity in accordance with the instructions of the county office. If the producer desires to deliver the commodity he should, prior to maturity, give the county office notice in writing of his intention to do so. The producer may, however, pay off his extended resale loan and redeem his commodity at any time prior to the delivery of the commodity to CCC or removal of the commodity by CCC. Credit will be given at the applicable settlement value according to the grade and quality for the total quantity eligible for delivery. Delivery of the commodity will be accepted only from the structure(s) in which the commodity under extended resale loan is stored. The provisions of § 421.2218 (a) and (d) shall be applicable to all commodities. The provisions for barley in § 421.2286 (a) (1) and (b) (2), (3), and (4), and (e) and (g); for corn in § 421.2346 (a) (1), (d) and (f); for oats in § 421.2486 (a) (1) and (d) and (f); and for wheat in § 421.2246 (a) (1), (b) (2), (3), (4), and (5) and (e) and (g) shall apply.

§ 421.2875 Support rates, premiums and discounts.

(a) The support rate for a farm-storage extended resale loan shall remain the same as for the original loan.

(b) Any discounts or premiums established for variation in quality as shown for barley in § 421.2283 (d) and (e); for corn in § 421.2347 (b); for oats in § 421.2483 (b), (c) (1) and (3); and for wheat in § 421.2243 (d) (3) and (4) shall apply.

Issued this 14th day of January 1959.

[SEAL] FOREST W. BEALL,
Acting Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 59-509; Filed, Jan. 19, 1959; 8:48 a.m.]

[1958 C.C.C. Grain Price Support Reseal Loan Bulletin]

PART 421—GRAINS AND RELATED COMMODITIES

Subpart—1958-Crop Reseal Loan Programs for Barley, Corn, Grain Sorghums, Oats, Rye and Wheat

Reseal loan programs have been announced for the 1958 crops of barley, corn, grain sorghums, oats, rye and wheat. The 1958 C.C.C. Grain Price Support Bulletin 1 and amendment thereto (23 F.R. 2663 and 5257) issued by Commodity Credit Corporation and containing the general requirements with respect to price support operations for grains and related commodities produced in 1958, supplemented for barley, corn, grain sorghums, oats, rye and wheat containing the specific requirements for the 1958-crop price support programs for these commodities are hereby further supplemented as follows:

Sec.

- 421.3101 Applicable sections of 1958 C.C.C. Grain Price Support Bulletin 1 and commodity supplements.
- 421.3102 Availability.
- 421.3103 Eligible producer.
- 421.3104 Eligible commodity.
- 421.3105 Approved storage.
- 421.3106 Approved forms.
- 421.3107 Quantity eligible for resealing.
- 421.3108 Additional service charges.
- 421.3109 Transfer of producer's equity.
- 421.3110 Storage and track-loading payments.
- 421.3111 Maturity and satisfaction.
- 421.3112 Support rates, premiums and discounts.

AUTHORITY: §§ 421.3101 to 421.3112 issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 301, 401, 63 Stat. 1051, 1054, sec. 308, 70 Stat. 206; 15 U.S.C. 714c; 7 U.S.C. 1421, 1441, 1442, 1447.

§ 421.3101 Applicable sections of 1958 C.C.C. Grain Price Support Bulletin 1 and commodity supplements.

The following sections of the 1958 C.C.C. Grain Price Support Bulletin 1, as amended, published in (23 F.R. 2663, 5257 and 8053) shall be applicable to the 1958 reseal loan programs for barley, corn, grain sorghums, oats, rye and wheat: §§ 421.3001, 421.3008, 421.3010, 421.3011, 421.3013, 421.3014, 421.3015, 421.3016, 421.3017, 421.3019. Applicable sections of the individual commodity supplements are as follows: for barley, §§ 421.3080 and 421.3081 (23 F.R. 3492); for corn, §§ 421.3140 and 421.3141 (23 F.R. 5141); for grain sorghums, §§ 421.3230 and 421.3231 (23 F.R. 4401); for oats, §§ 421.3280 and 421.3281 (23 F.R. 3425); for rye, §§ 421.3380 and 421.3381 (23 F.R. 3500 and 6279); and for wheat, §§ 421.3040 and 421.3041 (23 F.R. 3485 and 6551). Other sections of the 1958 C.C.C. Grain Price Support Bulletin 1 and supplements thereto for barley, corn, grain sorghums, oats, rye and wheat shall be applicable to the extent indicated in this subpart.

§ 421.3102 Availability.

(a) *Area and scope.* The reseal loan program will be available in the following areas where ASC State committees

determine that there may be a shortage of storage space, that the commodity can be safely stored on farms for the period of the reseal loan and that it will be advantageous to producers and CCC to permit producers to obtain reseal loans:

Name of Commodity and Area

Barley, Grain, Sorghums, Oats, Rye and Wheat: All States, except Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia.

Corn: All States, except in angoumois moth areas designated by the ASC State committee.

This program provides under certain conditions, for the extension of 1958-crop farm-storage loans and the making of farm-storage loans on 1958-crop commodities covered by purchase agreements. Neither warehouse-storage loans nor purchase agreements will be available to producers under the reseal loan program.

(b) *Time.* (1) The producer who desires to participate in the reseal loan program must sign an application for a farm-storage reseal loan with the office of the county committee.

(2) In the case of a farm-storage loan, the producer will be required to apply for extension of his loan before the final date for delivery specified in the delivery instructions issued to him by the office of the county committee.

(3) The producer who signed a purchase agreement on a farm-stored commodity is required, under the 1958 Price Support Program to notify the office of the county committee not later than March 31, 1959, in the case of grain sorghums or wheat; April 30, 1959, in the case of barley (March 10, 1959, in Arizona and California) oats and rye; and July 31, 1959, in the case of corn; if he intends to sell the commodity to CCC. If the producer has notified the county office as indicated in this subparagraph of his intention to sell the commodity to CCC or to participate in this program he may obtain a reseal farm-storage loan on the commodity. If the producer has not requested delivery instructions, the loan documents must be executed on or before June 30, 1959, for grain sorghums and wheat; on or before July 31, 1959, for barley, oats and rye; and on or before November 30, 1959, for corn.

(c) *Source and disbursement of loans.*

A producer desiring to participate in the reseal loan program should make application to the office of the ASC county committee which approved his loan or purchase agreement. Disbursements of loans completed on the commodity covered by purchase agreements shall be made to producers by county offices by means of sight drafts drawn on CCC within 15 days after execution of the loan documents. The drawing of a draft shall constitute disbursement. Disbursement shall not be made unless the commodity is in existence and in good condition. If the commodity was not in existence and in good condition at the time of disbursement, the total amount

disbursed under the loan shall be promptly refunded by the producer. In the event the amount disbursed exceeds the amount authorized under this subpart, the producer shall be personally liable for repayment of the amount of such excess.

§ 421.3103 Eligible producer.

An eligible producer shall be an individual partnership, association, corporation, estate, trust, or other business enterprise, or legal entity, and wherever applicable a State, political subdivision of a State, or any agency thereof producing barley, corn, grain sorghums, oats, rye or wheat in 1958 as landowner, landlord, tenant, or sharecropper, who either completed a farm-storage loan or signed a purchase agreement governing such commodity of the 1958 crop.

§ 421.3104 Eligible commodity.

(a) *Requirements of eligibility.* The eligibility requirements for the commodity which must be under price support loan or purchase agreement shall be as follows:

Name of Commodity and Eligibility Requirements

Barley: The barley (1) must meet the requirements set forth in § 421.3078 (a) and (b); (2) must be of any class grading No. 4 or better (or No. 4 Garlicky or better) except that Western Barley shall have a test weight of not less than 40 pounds per bushel; (3) must not grade Tough, Weevily, Stained if Western Barley, Blighted, Bleached, Ergoty or Smutty; and (4) must not contain mercurial compounds or other substances poisonous to man or animals.

Corn: The corn (1) must meet the requirements set forth in § 421.3138 (a) (b) (c) and (d); (2) must grade No. 3 or better or No. 4 on the factor of test weight only but otherwise No. 3 or better; (3) must contain not in excess of 15.5 percent moisture in the case of ear corn nor in excess of 13.5 percent moisture in the case of shelled corn; and (4) must not grade Weevily.

Grain sorghums: The grain sorghums (1) must meet the requirements set forth in § 421.3228 (a) and (b); (2) must be of any class grading No. 4 or better, No. 4 smutty or better, or No. 4 discolored or better; (3) must not grade weevily or contain mercurial compounds or other substances poisonous to man or animals; and (4) must not be in excess of 13 percent moisture.

Oats: The oats (1) must meet the requirements set forth in § 421.3278 (a) and (b); (2) must grade No. 3 or better or No. 3 Garlicky or better; (3) must not be Feed Oats or Mixed Feed Oats; (4) must not grade Tough, Weevily, Smutty, Ergoty, Bleached or Thin; and (5) must not contain mercurial compounds or other substances poisonous to man or animals.

Rye: The rye (1) must meet the requirements set forth in § 421.3378 (a) and (b); (2) must grade No. 2 or better or No. 3 on the factor of test weight only, but otherwise No. 2 or better; (3) must not grade Tough, Light Smutty, Smutty, Light Garlicky, Garlicky or Weevily or contain in excess of 1 percent ergot; and (4) must not contain mercurial compounds or other substances poisonous to man or animals.

Wheat: The wheat (1) must meet the eligibility requirements set forth in § 421.3038 (a), (b) and (d); (2) must be of any class grading No. 3 or better or any class grading No. 4 or 5 on the factor of test weight and/or because of containing Durum and/or Red Durum, but otherwise grading No. 3 or better; (3) may be wheat of the class Mixed

Wheat consisting of mixtures of grades of eligible wheat as stated above provided such mixtures are the natural products of the field; and (4) must not grade Tough, Weevily, Ergoty, or Treated.

(b) *Inspection*—(1) *Farm-storage loans extended*. If a producer makes application to extend his farm-storage loan, the commodity loan inspector shall inspect the commodity and the storage structure in which the commodity is stored, obtain a sample if the commodity and structure appear eligible, and submit it for grade analysis, except that in the case of ear corn a sample need be taken only if recommended by either the commodity loan inspector or the producer.

(2) *Commodity covered by purchase agreement*. If a producer makes application for a farm-storage loan on the commodity covered by a purchase agreement, the commodity loan inspector shall inspect the commodity and storage structure in which the commodity is stored, obtain a sample if the commodity and structure appear eligible, and proceed in the regular manner for the inspection of the commodity to be placed under loan.

§ 421.3105 Approved storage.

For any loans extended and any new loans completed the commodity must be stored in structures which meet the requirements for farm-storage loans as provided in § 421.3006(a). Consent for storage for any loans extended or new loans completed must be obtained by the producer for a period of 60 days following the applicable maturity date of the resale loan for the commodity, if the structure is owned or controlled by someone other than the producer or if the lease expires prior to 60 days following the maturity date of the resale loan.

§ 421.3106 Approved forms.

(a) The approved forms, which together with the provision of this subpart govern the rights and responsibilities of the producer, shall consist of Producer's Note and Supplemental Loan Agreement, secured by a Commodity Chattel Mortgage, and such other forms and documents as may be prescribed by CCC. Notes and chattel mortgages must have State and documentary revenue stamps affixed thereto where required by law. Loan documents executed by an administrator, executor or trustee will be acceptable only where legally valid.

(b) Where required by State law, a new producer's note and chattel mortgage shall be completed when a farm-storage loan is extended. Where new forms are not completed, extension of the farm-storage loan shall not affect the rights of CCC, including its right to accelerate the maturity date of the note, and the rights and responsibilities of the producer as set forth in this subpart and in the original approved forms completed by the producer.

§ 421.3107 Quantity eligible for resale.

(a) The quantity of the commodity eligible for resale on an extended farm-

storage loan, will be the quantity shown on the original note and chattel mortgage, less any quantity delivered or redeemed.

(b) A producer may obtain a loan on the quantity in store not in excess of the quantity of the commodity specified in the purchase agreement, minus any quantity of the commodity under such purchase agreement (1) which has been previously placed under loan and (2) on which he exercises his option to sell to CCC.

§ 421.3108 Additional service charges.

(a) When a farm-storage loan is extended, the producer will not be required to pay an additional service charge.

(b) At the time a farm-storage loan is made to the producer on the commodity covered by a purchase agreement, the producer shall pay an additional service charge of $\frac{1}{2}$ cent per bushel on the number of bushels placed under loan (except grain sorghums, which shall be 1 cent per 100 pounds) or \$1.50 whichever is greater. No refund of service charges will be made except if the amount collected is in excess of the correct amount.

§ 421.3109 Transfer of producer's equity.

The producer shall not transfer either his remaining interest in or his right to redeem the commodity mortgaged as security for a loan under this program nor shall anyone acquire such interest or right. Subject to the provisions of § 421.3017 regarding partial redemption of loans, a producer who wishes to liquidate all or part of his loan by contracting for the sale of the commodity must obtain written prior approval of the county committee on Commodity Loan Form 12 to remove the commodity from storage when the proceeds of the sale are needed to repay all or any part of the loan. Any such approval shall be subject to the terms and conditions set out in Commodity Loan Form 12, copies of which may be obtained by producers or prospective purchasers at the office of the county committee.

§ 421.3110 Storage and track-loading payments.

(a) *Storage payment*. A resale storage payment will be made as follows:

(1) *Storage payment for full resale period*. A storage payment will be made to the producer on the quantity involved if he (i) redeems the commodity from the loan on or after the maturity date of the resale loan (ii) delivers the commodity to CCC on or after the maturity date of the resale loan or (iii) delivers the commodity to CCC prior to the maturity date of the resale loan pursuant to demand by CCC for repayment of the loan solely for the convenience of CCC. Such storage payment will be computed as follows:

Name of commodity	Area	Amount
Barley and corn.	All States.....	16 cents per bushel.
Grain sorghums.	States comprising area I under UGSA.	28 cents per hundred-weight.
Do.....	States comprising area II under UGSA.	29 cents per hundred-weight.
Do.....	States comprising area III under UGSA.	30 cents per hundred-weight.
Do.....	States comprising area IV under UGSA.	31 cents per hundred-weight.
Oats.....	All States.....	12 cents per bushel.
Rye and wheat..	States comprising area I and II under UGSA.	16 cents per bushel.
Do.....	States comprising area III and IV under UGSA.	17 cents per bushel.

(2) *Prorated storage payment*. A storage payment determined by prorating the yearly rate according to the length of time the commodity was in store for the period beginning 60 days subsequent to the maturity date applicable to the regular loan will be made to the producer; (i) in the case of loss assumed by CCC under the provisions of the loan program; (ii) in the case of commodity redeemed from resale loans prior to the maturity date of the resale loan and, (iii) in the case of the commodity delivered to CCC prior to the maturity date of the resale loan pursuant to CCC's demand and not solely for the convenience of CCC or upon request of the producer and with the approval of CCC. The prorated storage payment will be computed as follows but shall not exceed the amount specified in subparagraph (1) of this paragraph:

Name of commodity	Area	Rate per day
Barley and corn.	All States.....	\$0.00053 per bushel.
Grain sorghums.	States comprising area I under UGSA.	0.00092 per hundred-weight.
Do.....	States comprising area II under UGSA.	0.00095 per hundred-weight.
Do.....	States comprising area III under UGSA.	0.00099 per hundred-weight.
Do.....	States comprising area IV under UGSA.	0.00102 per hundred-weight.
Oats.....	All States.....	0.00039 per bushel.
Rye and wheat..	States comprising area I and II under UGSA.	0.00053 per bushel.
Do.....	States comprising area III and IV under UGSA.	0.00056 per bushel.

In the case of losses assumed by CCC, the period for computing the storage payment shall end on the date of the loss, and in the case of redemptions, on the date of repayment.

(3) *No storage payments*. Notwithstanding the provision of this paragraph, in no case will any storage payment be made where the producer has made any false representation in the loan documents or in obtaining the loan, where the commodity has been abandoned, where

there has been conversion on the part of the producer, or where there otherwise is loss or damage to the commodity delivered to CCC and such loss or damage is not assumed by CCC but is the responsibility of the producer as provided in § 421.3015.

(b) *Track-loading payment.* A track-loading payment of 3 cents per bushel will be made to the producer on barley, corn, oats, rye and wheat, and 6 cents per 100 pounds on grain sorghums delivered to CCC in accordance with instructions of the county committee on track at a country point.

§ 421.3111 Maturity and satisfaction.

(a) Loans will mature on demand but not later than March 31, 1960, for grain sorghums and wheat; April 30, 1960, for barley (March 10, 1960, in Arizona and California), oats and rye; and July 31, 1960, for corn. The producer must pay off his loan, plus interest, on or before maturity or deliver the mortgaged commodity in accordance with the instructions of the county office. If the producer desires to deliver the commodity he should, prior to maturity, give the county office notice in writing of his intention to do so. The producer may, however, pay off his loan and redeem his commodity at any time prior to the delivery of the commodity to CCC or removal of the commodity by CCC. Credit will be given at the applicable settlement value according to grade and quality for the total quantity eligible for delivery. Delivery of the commodity will be accepted only from the structure(s) in which the commodity under resale is stored. The provisions of § 421.3018 (a) and (d) shall be applicable to all commodities. The provisions for barley in § 421.3086 (a) (1), (b) (2), (3), and (4) and (6) and (g); for corn in § 421.3146 (a) (1), (d) and (f); for grain sorghums in § 421.3236 (a) (1), (b) (2), (3) and (4), (e) and (g); for oats in § 421.3286 (a) (1), (d) and (f); for rye in § 421.3386 (a) (1), (b) (2), (3), and (4), (e) and (g); and for wheat in § 421.3046 (a) (1), (b) (2), (3), (4), and (5), (e) and (g) shall apply.

§ 421.3112 Support rates, premiums and discounts.

(a) The support rate for an extended farm-storage loan shall remain the same as for the original loan. For a purchase agreement transferred to a resale loan, the support rate shall be the support rate contained in the following section: for barley in § 421.3083 (c); for corn in § 421.3147 (a) (1) (2) and (3); for grain sorghums in § 421.3233 (c); for oats in § 421.3283 (a); for rye in § 421.3383 (c); and for wheat in § 421.3043 (d) (2).

(b) Any discounts or premiums established for variation in quality as shown for barley in § 421.3083 (d) and (e); for corn in § 421.3147 (b) (1) and (3); for grain sorghums in § 421.3233 (d) and (e); for oats in § 421.3283 (b), and (c) (1) and (3); for rye in § 421.3383 (d)

and (e); and for wheat in § 421.3043 (d) (3) and (4) shall apply.

Issued this 14th day of January 1959.

[SEAL] FOREST W. BEALL,
Acting Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 59-511; Filed, Jan. 19, 1959;
8:48 a.m.]

SUBCHAPTER C—EXPORT PROGRAMS

[Announcement CN-EX-3 (Rev. 1), Amdt. 4]

PART 482—COTTON PRODUCTS EXPORT PROGRAM

Changes in Export Control Requirements

In order to state the current export control requirements of the Bureau of Foreign Commerce, U.S. Department of Commerce, §§ 482.9(d) Warranty and 482.11(a) Satisfactory evidence of exportation, of the Cotton Products Export Program (Announcement CN-EX-3 (Revision 1)) dated November 15, 1956 (21 F.R. 9048), as amended, is hereby further amended so as to read as follows:

§ 482.9 [Amendment]

(d) *Warranty.* In making application for an equalization payment the exporter represents and warrants that the cotton products exported pursuant to this announcement have not and will not be exported by anyone or transshipped by the exporter or caused to be transshipped by the exporter:

(1) To any country or area listed as Sub-Group A of Group R of the Comprehensive Export Schedule issued by the Bureau of Foreign Commerce, U.S. Department of Commerce, unless a license for such exportation or transshipment thereto has been obtained from such Bureau; or

(2) To Hong Kong or Macao if a specific license for such exportation or transshipment is required by regulations of the U.S. Department of Commerce under the Export Control Act of 1949, unless such specific license for such exportation or transshipment thereto has been obtained from the Bureau of Foreign Commerce, U.S. Department of Commerce.

§ 482.11 Satisfactory evidence of exportation.

(a) Separate documents must be submitted to the New York office for each export shipment, and all documents covering any one shipment must be submitted at the same time. Each document must be identified with the Registration Number assigned by the New York office. Where exportation or transshipment has been made to one or more of the countries or areas described in § 482.9 under license issued by the U.S. Department of Commerce, Bureau of Foreign Commerce, evidence of exportation shall identify by license number, in addition to the name and address of the

consignee, the license issued by that Bureau. In the case of an exportation or transshipment to Hong Kong or Macao not requiring a specific license, the documents evidencing exportation shall contain a statement by the purchaser that a specific license was not required.

A revised Notice to Exporters is set forth below.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072; 15 U.S.C. 714c)

Issued this 14th day of January 1959.

[SEAL] FOREST W. BEALL,
Acting Executive Vice President,
Commodity Credit Corporation.

NOTICE TO EXPORTERS

(Revision of October 21, 1958)

The Department of Commerce, Bureau of Foreign Commerce (BFC), pursuant to regulations under the Export Control Act of 1949, prohibits the exportation or re-exportation by anyone of any commodities under this program to the Soviet Bloc, or Communist-controlled areas of the Far East including Communist China, North Korea and the Communist-controlled areas of Vietnam, except under validated license issued by the U.S. Department of Commerce, Bureau of Foreign Commerce. A validated license is also required for shipment to Hong Kong or Macao unless the commodity is included on the General License GHK list.

These regulations generally require that exporters, in or in connection with their contracts with foreign purchasers, where the contract involves \$10,000 or more and exportation is to be made to a Group R country, obtain from the foreign purchaser a written acknowledgment of his understanding of (1) U.S. Commerce Department prohibitions (Comprehensive Export Schedule, §§ 371.4 and 371.8) against sales or resale for re-export of said commodities, or any part thereof, without express Commerce Department authorization, to the Soviet Bloc, Communist China, North Korea or the Communist-controlled area of Vietnam or to Hong Kong or Macao unless the commodity is on the General License GHK list (CES § 371.23), and (2) the sanction of denial of future U.S. export privileges that may be imposed for violation of the Commerce Department regulations. Exporters who have a continuing and regular relationship with a foreign purchaser may obtain a blanket acknowledgment from such purchaser covering all transactions involving surplus agricultural commodities and manufactures thereof purchased from CCC or subsidized for export by that agency. Where commodities are to be exported by a party other than the original purchaser of the commodities from the CCC the original purchaser should inform the exporter in writing of the requirement for obtaining the signed acknowledgment from the foreign purchaser.

For all exportations, one of the destination control statements specified in BFC Regulation (Comprehensive Export Schedule § 379.10(c)) is required to be placed on all copies of the shipper's export declaration, all copies of the bill of lading, and all copies of the commercial invoices. For additional information as to which destination control statement to use, the exporter should communicate with the Bureau of Foreign Commerce or one of the field offices of the Department of Commerce.

[F.R. Doc. 59-512; Filed, Jan. 19, 1959;
8:48 a.m.]

[Announcement CN-EX-6, Amdt. 1]

PART 482—COTTON PRODUCTS EXPORT PROGRAM

Subpart—Cotton Export Program— Payment in Kind

CHANGES IN EXPORT CONTROL REQUIREMENTS

In order to state the current export control requirements of the Bureau of Foreign Commerce, U.S. Department of Commerce, §§ 482.109(b) Warranty and 482.110(a) Satisfactory evidence of exportation, of the Cotton Export Program—Payment in Kind (Announcement CN-EX-6), dated May 2, 1958 (23 F.R. 3051) is hereby amended so as to read as follows:

§ 482.109 [Amendment]

(b) *Warranty.* By submitting a Form 38 to the New Orleans Office, the exporter represents and warrants that the cotton covered by such Form 38 was not exported to, and has not and will not be transshipped or caused to be transshipped by the exporter to:

(1) To any country or area listed as Sub-Group A of Group R of the Comprehensive Export Schedule issued by the Bureau of Foreign Commerce, U.S. Department of Commerce, unless a license for such exportation or transshipment thereto has been obtained from such Bureau; or

(2) To Hong Kong or Macao if a specific license for such exportation or transshipment is required by regulations of the U.S. Department of Commerce under the Export Control Act of 1949, unless such specific license for such exportation or transshipment thereto has been obtained from the Bureau of Foreign Commerce, U.S. Department of Commerce.

§ 482.110 Satisfactory evidence of exportation.

(a) Separate documents must be submitted to the New Orleans Office for each export shipment, and all documents covering any one shipment must be submitted at the same time. The registration number assigned by the New Orleans Office must be shown on each document. If the export sale is financed under Public Law 480, the Purchase Authorization Number must also be shown on the documents evidencing exportation. Where exportation or transshipment has been made to one or more of the countries or areas described in § 482.109(b) under license issued by the U.S. Department of Commerce, Bureau of Foreign Commerce, evidence of exportation shall identify by license number, in addition to the name and address of the consignee, the license issued by that Bureau. In the case of an exportation or transshipment to Hong Kong or Macao not requiring a specific license, the documents evidencing exportation shall contain a statement by the exporter that a specific license was not required.

A revised Notice to Exporters¹ accompanies this amendment.

¹ Filed as part of the original document. See F.R. Doc. 59-512, *supra*.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, sec. 203, 70 Stat. 188, 15 U.S.C. 714c, 7 U.S.C. 1853)

Issued this 14th day of January 1959.

[SEAL] FOREST W. BEALL,
Acting Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 59-510; Filed, Jan. 19, 1959;
8:48 a.m.]

Title 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

PART 925—MILK IN PUGET SOUND, WASHINGTON, MARKETING AREA

Determination of Equivalent Price for Grade A (92-Score) Butter at Chi- cago

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and to the applicable provisions of the order, as amended, regulating the handling of milk in the Puget Sound, Washington, milk marketing area (7 CFR Part 925), hereinafter referred to as the "order", it is hereby found and determined as follows:

(1) Inasmuch as the Grade A (92-score) butter quotations for the Chicago market, used in the order as a factor in the basic formula price for computing the Class I price, are not available for a sufficient number of days during December 1958 to be representative of such prices for such month, it is hereby determined, in accordance with § 925.55 of the order, that the equivalent price for Grade A (92-score) butter at Chicago under the order for December 1958 shall be the simple average, as computed by the Dairy Division, of the daily wholesale selling prices per pound of Grade B (90-score) bulk creamery butter at Chicago, as reported by the United States Department of Agriculture, plus 0.25 cents.

(2) Notice of proposed rule making, public procedure thereon, and 30 days prior notice to the effective date hereof are impracticable, unnecessary, and contrary to the public interest, in that (a) prices for Grade A (92-score) butter on the Chicago market have not been reported by the Dairy and Poultry Market News Service, Agricultural Marketing Service, United States Department of Agriculture, on a sufficient number of days during December 1958, to be representative of such prices for such month; (b) the determination of an equivalent price immediately is necessary to make possible the announcement of the minimum price for Class I milk under the order in valuing producer milk received by handlers during December 1958; (c) an essential purpose of this determination is to give all interested persons notice that the averages of Grade A (92-score) butter prices reported by the Dairy and Poultry Market News Service

for December 1958 are not being used for the purpose of the price computation required under § 925.50(b)(1) of the order; and (d) this determination does not require substantial or extensive preparation of any person.

Issued at Washington, D.C., this 15th day of January 1959.

[SEAL] CLARENCE L. MILLER,
Assistant Secretary.

[F.R. Doc. 59-494; Filed, Jan. 19, 1959;
8:46 a.m.]

PART 943—MILK IN NORTH TEXAS MARKETING AREA

Order Amending Order

§ 943.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of the said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the North Texas marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than January 15, 1959.

The provisions of the said order are known to handlers. The decision of the

Assistant Secretary containing all amendment provisions of this order was issued January 2, 1959. The changes effected by this order will not require extensive preparation of substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective January 15, 1959, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (See section 4(c), Administrative Procedure Act, 5 U.S.C. 1001 et seq.).

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. The order is hereby amended as follows:

Delete § 943.70(c) and substitute therefor the following:

(c) Add the amount computed by multiplying the difference between the applicable Class II price for the preceding month and the applicable Class I price for the current month by the hundredweight of skim milk and butterfat subtracted from Class I pursuant to § 943.46(a)(8) and the corresponding step of § 943.46(b) for the current month: *Provided*, That such hundredweight of skim milk and butterfat for which an amount is computed shall not exceed the hundredweight of skim milk and butterfat allocated to Class II milk pursuant to paragraph (a)(3) and (4) and the corresponding step of paragraph (b) of § 943.46 plus the hundredweight of skim milk and butterfat in Class II milk after making the calculations for such handler pursuant to § 943.46(a)(8) and the corresponding step of § 943.46(b) both for the preceding month;

(Sec. 5, 49 Stat. 753, as amended; 7 U.S.C. 608c)

Issued at Washington, D.C., this 15th day of January 1959, to be effective on and after the 15th day of January 1959.

[SEAL] CLARENCE L. MILLER,
Assistant Secretary.

[F.R. Doc. 59-495; Filed, Jan. 19, 1959; 8:47 a.m.]

No. 13—2

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. I]

PART 209—ISSUE AND CANCELLATION OF CAPITAL STOCK OF FEDERAL RESERVE BANKS

Alaska

1. Effective January 3, 1959, footnote 1 to § 209.1 is amended to eliminate the words "in Alaska or" where they appear therein.

2. (a) The purpose of this amendment is to eliminate reference to Alaska since National banks located therein are required to become members of the Federal Reserve System under section 9 of the Federal Reserve Act.

(b) The notice, public participation, and deferred effective date described in section 4 of the Administrative Procedure Act are not followed in connection with these amendments for the reasons and good cause found, as stated in § 262.2 (e) of the Board's rules of procedure (12 CFR Part 262), and especially because such procedures are unnecessary as they would not aid the persons affected and would serve no other useful purpose.

(Sec. 11(i), 38 Stat. 262; 12 U.S.C. 248(i). Interpret or apply secs. 2, 5, 6, 9, 38 Stat. 251, 257, 258, 259, as amended; 12 U.S.C. 282, 286-288, 321, 323, 327, 328, 333)

BOARD OF GOVERNORS OF THE
FEDERAL RESERVE SYSTEM.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 59-487; Filed, Jan. 19, 1959; 8:45 a.m.]

[Reg. P]

PART 216—HOLDING COMPANY AFFILIATES; VOTING PERMITS

Definition of "Affiliated"

1. Effective January 9, 1959, paragraph (d) of § 216.1 is amended by deleting subparagraph (3) and appropriately renumbering subparagraphs (4) and (5).

2. (a) The purpose of this amendment is to eliminate a technical coverage which has been determined to be unnecessary to carry out the purposes of the law, by excluding from the definition of "affiliated", those situations where control of one corporation, business trust, association, or other similar organization, is held, directly or indirectly, through stock ownership or in any other manner, by shareholders of another who also own or control a majority of the shares of the latter, or more than 50 per centum of the number of shares of the latter voted for the election of directors, trustees, or other persons exercising similar functions at the preceding election.

(b) The notice and public participation and deferred effective date described in section 4 of the Administrative Pro-

cedure Act are not following in connection with this amendment for the reasons and good cause found as stated in paragraph (e) of § 262.2 of the Board's rules of procedure (12 CFR Part 262), and specifically because in connection with this liberalizing amendment such procedures are unnecessary as they would not aid the persons affected and would serve no other useful purpose.

(Sec. 11(i), 38 Stat. 262; 12 U.S.C. 248(i). Interpret or apply R.S. 5144, as amended, secs. 4, 9, 38 Stat. 254, 259, as amended, sec. 2, 48 Stat. 162, as amended; 12 U.S.C. 61, 221a, 304, 337)

BOARD OF GOVERNORS OF THE
FEDERAL RESERVE SYSTEM,

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 59-488; Filed, Jan. 19, 1959; 8:45 a.m.]

Title 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board—Federal Aviation Agency

SUBCHAPTER B—ECONOMIC REGULATIONS

[Reg. ER-249]

PART 233—TRANSPORTATION OF MAIL: FREE TRAVEL FOR POSTAL EMPLOYEES

Reduction of Free Travel Privilege

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 14th day of January 1959.

Part 233 of the Economic Regulations implements the provisions of section 405(j) of the Federal Aviation Act by requiring air carriers to furnish free transportation to specified classes of Post Office Department employees and such additional agents or officers as may be designated by the Postmaster General. The titles of the persons designated by the Postmaster General for this purpose are set forth in § 233.1 of this part.

The Board was recently advised by the Post Office Department that various organization changes have been made within that department, including implementation of a plan for a regional organization consisting of 15 regions. In order that Part 233 may reflect correctly the current titles of officers and agents of the Post Office Department who are entitled to air transportation without charge therefor, when traveling on official business relating to the transportation of mail by aircraft, the Postmaster General has submitted a current list of titles and requested that they be substituted for those presently set forth in § 233.1 thereof. As a result of this reorganization within the Post Office Department, the number of officials who would be entitled to free transportation privileges is reduced from 49 to 41.

Since this amendment is merely a matter of form, public notice thereon is unnecessary and the amendment may be made effective upon less than 30 days' notice.

Accordingly, Part 233 of the Economic Regulations is amended, effective January 20, 1959 as follows:

By deleting paragraphs (b) through (f) from § 233.1 and substituting in lieu thereof the following new paragraphs:

§ 233.1 Postal employees to be carried free.

(b) The Deputy Postmaster General.
(c) The Executive Assistant to the Postmaster General; the Deputy Executive Assistant to the Postmaster General; the Special Assistant to the Postmaster General; and the Confidential Assistant to the Postmaster General.

(d) The Assistant Postmaster General-Operations; the Assistant Postmaster General-Transportation; the Assistant Postmaster General-Finance; the Assistant Postmaster General-Facilities; the Assistant Postmaster General-Personnel; and the respective Deputies of the foregoing Assistant Postmasters General.

(e) The Chief Postal Inspector and one Assistant Chief Postal Inspector; the General Counsel and the Deputy General Counsel; and the Director of the Office of Research and Engineering and his Deputy.

(f) The Director of Distribution and Traffic Division, Bureau of Operations; the Director, Air Transportation Branch, Bureau of Transportation; and the Regional Operations Director in each of the 15 Postal Regions.

(Sec. 204(a), 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply sec. 405(j); 72 Stat. 763; 49 U.S.C. 1375)

By the Civil Aeronautics Board.

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 59-514; Filed, Jan. 19, 1959; 8:48 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 7035]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

G. P. Halferty & Co. et al.

Subpart—*Discriminating in price under section 2, Clayton Act, as amended*—Payment or acceptance of commission, brokerage, or other compensation under 2(c): § 13.817 *Cutting primary brokerage*; § 13.820 *Direct buyers*; § 13.822 *Lowered price to buyers*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply Sec. 2, 38 Stat. 730, as amended; 15 U.S.C. 13) [Cease and desist order, G. P. Halferty & Co. et al., Seattle, Wash., Nov. 19, 1958]

In the Matter of G. P. Halferty & Co., a Corporation, and Guy P. Halferty, Individually and as an Officer of Said Corporation

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a Seattle, Wash.,

broker of seafood, particularly canned salmon—selling its own pack as well as acting as a primary broker for various principals—with violating the brokerage provision of the Clayton Act by selling its principals' products to certain favored buyers at lower net prices than those accounted for to the principals; by selling its own products to certain favored buyers at net prices lower than those to non-favored buyers, which reflected brokerage or a discount in lieu thereof; and by granting to at least one large direct buyer a rebate of 2½ percent, the customary brokerage fee, under the guise of promotional allowances.

Following acceptance of an agreement containing consent order, the hearing examiner made his initial decision and order to cease and desist which became on November 19 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That G. P. Halferty & Co., a corporation, and its officers, and Guy P. Halferty, individually and as an officer of said corporate respondent, and respondents' representatives, agents, or employees, directly or through any corporate or other device in connection with the sale of seafood products in commerce, as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from:

1. Paying, granting, or allowing, directly or indirectly, to any buyer, or to anyone acting for or in behalf of or who is subject to the direct or indirect control of such buyer, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, upon or in connection with any sale of their seafood products to such buyer for his own account;

2. Paying, granting, or passing on, either directly or indirectly, to any buyer or to anyone acting for or in behalf of or subject to the direct or indirect control of such buyer, brokerage earned or received by respondents on sales made for their packer-principals, by allowing to buyers lower prices which reflect all or any part of such brokerage, or by granting them allowances or rebates which are in lieu of such brokerage, or by any other method or means.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That respondents G. P. Halferty & Co., a corporation, and Guy P. Halferty, individually and as an officer of said corporation, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: November 19, 1958.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 59-489; Filed, Jan. 19, 1959; 8:46 a.m.]

[Docket 7089]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

Whiz Fish Products Co. et al.

Subpart—*Discriminating in price under section 2, Clayton Act, as amended*—Payment of acceptance of commission, brokerage, or other compensation under 2(c): § 13.817 *Cutting primary brokerage*; § 13.820 *Direct buyers*; § 13.822 *Lowered price to buyers*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 2, 38 Stat. 730, as amended; 15 U.S.C. 13) [Cease and desist order, Whiz Fish Products Company et al., Seattle, Wash., Docket 7089, November 19, 1958]

In the Matter of Whiz Fish Products Company, a Corporation, and Charles D. Alhadeff, Jack J. Alhadeff, and Ike N. Alhadeff, Individually and as Officers of Said Corporation

This proceeding was heard by a hearing examiner on the complaint of the Commission charging Seattle, Wash., packers and distributors of seafood, including canned salmon and tuna, with violating the brokerage section of the Clayton Act by granting to direct buyers a discount in the amount of the usual brokerage; selling to certain customers at reduced prices, the reductions reflecting brokerage; and selling through their brokers to certain buyers at reduced prices offset by cutting the brokers' commission.

Following acceptance of an agreement containing consent order, the hearing examiner made his initial decision and order to cease and desist which became on November 19 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That Whiz Fish Products Company, a corporation, and its officers, and Charles D. Alhadeff, Jack J. Alhadeff, and Ike N. Alhadeff, individually and as officers of said respondent corporation, and Respondents' agents, representatives or employees, directly or through any corporate or other device, in connection with the sale of seafood products in commerce, as "commerce" is defined in the aforesaid Clayton Act, do forthwith cease and desist from:

Paying, granting, allowing, or passing on, directly or indirectly, to any buyer, or to anyone acting for or in behalf of or who is subject to the direct or indirect control of such buyer, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, upon or in connection with any sale of seafood products to such buyer for his own account.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That respondents Whiz Fish Products Company, a corporation, and Charles D. Alhadeff, Jack J. Alhadeff, and Ike N. Alhadeff, individually and as officers of said corporation, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail

the manner and form in which they have complied with the order to cease and desist.

Issued: November 19, 1958.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 59-490; Filed, Jan. 19, 1959;
8:46 a.m.]

[Docket 7102]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

General Products Corp. et al.

Subpart—Advertising falsely or misleadingly: § 13.30 Composition of goods; § 13.105 Individual's special selection or situation; § 13.155 Prices: Comparative; § 13.170 Qualities or properties of product or service; § 13.240 Special or limited offers.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, General Products Corporation et al., Los Angeles, Calif., Docket 7102, November 19, 1958]

In the Matter of General Products Corporation, a Corporation, and David Ormont, and Alan Mann, Individually and as Officers of Said Corporation

This proceeding was heard by a hearing examiner on the complaint of the Commission charging distributors in Los Angeles, Calif., of drug preparations containing vitamins and minerals, with representing falsely in advertising, including radio broadcasts, that their "VCS" preparation was cheaper than competing products, that the price was specially reduced for a limited time only, and available to selected customers only, that the product supplied users with all the essential vitamins and minerals, and was of value in conditions resulting from vitamin and mineral deficiencies; and that their "Pounds-Off" preparation contained a newly discovered anti-hunger ingredient, and that by its use once a day a specific weight loss would be achieved in a prescribed period.

Following acceptance of an agreement containing consent order, the hearing examiner made his initial decision and order to cease and desist which became on November 19 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondents, General Products Corporation, and its officers, and David Ormont, and Alan Mann, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of "VCS Formula" and "Pounds-Off", or any preparations of substantially similar composition or possessing substantially similar properties, whether sold under the same names or any other names, do forthwith

cease and desist from, directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or indirectly:

(a) That significant savings in money may be realized through the use of "VCS Formula" in preference to other vitamin and mineral products, unless such is the fact;

(b) That the price at which "VCS Formula" is being offered is a special or reduced price when the price is in fact the regular and customary price at which the product is sold by respondents or that the offer is for only a limited time;

(c) That the price at which "VCS Formula" is being offered is available to selected customers only;

(d) That "VCS Formula" supplies all of the essential vitamins and minerals to the users thereof;

(e) That "VCS Formula" is of value in the correction of a tired-out, run-down feeling, or any other symptom or condition resulting from a vitamin or mineral deficiency, unless expressly limited to instances resulting from a deficiency of one or more of the vitamins supplied in amounts exceeding the minimum daily requirements when taken according to directions;

(f) That through the use of the "Pounds-Off" plan, or product, specific or predetermined loss of weight will be achieved within a prescribed period of time;

(g) That "Pounds-Off" contains a newly discovered anti-hunger ingredient;

(h) That in using the "Pounds-Off" plan you need take "Pounds-Off" only once each day;

2. Disseminating or causing the dissemination of any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said preparations, which advertisement contains any of the representations prohibited in Paragraph 1 hereof.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That respondents General Products Corporation, a corporation, and David Ormont and Alan Mann, individually and as officers of said corporation, shall within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: November 19, 1958.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 59-491; Filed, Jan. 19, 1959;
8:46 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

PART 207—NAVIGATION REGULATIONS

New River, and Gulf of Mexico, Fla.

1. Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), paragraph (c) of § 203.446 is hereby amended revoking the regulations governing the operation of the Southeast Sixth Avenue (Federal Highway) Bridge across New River, Fort Lauderdale, Florida, the bridge having been removed to permit the construction of a tunnel at the site, and a new paragraph (c) is hereby prescribed to govern the operation of the temporary detour bridges at Southeast 5th and 9th Avenues, as follows:

§ 203.446 New River and New River Sound (Intracoastal Waterway), Fort Lauderdale, Fla.; bridges.

(c) *Temporary detour bridges, Southeast 5th and Southeast 9th Avenues, across New River.* (1) The owner or agency controlling the Southeast 5th Avenue detour bridge will not be required to open the drawspan between the hours of 7 a.m., and 6 p.m., for the passage of eastbound traffic except at the following scheduled times when the bridge shall be opened to allow all accumulated vessels to pass:

7:00 a.m.	1:00 p.m.
8:00 a.m.	1:30 p.m.
9:00 a.m.	2:00 p.m.
9:30 a.m.	2:30 p.m.
10:00 a.m.	3:00 p.m.
10:30 a.m.	3:30 p.m.
11:00 a.m.	4:00 p.m. ¹
11:30 a.m.	4:30 p.m. ¹
12:00 Noon	5:15 p.m. ¹
12:30 p.m.	6:00 p.m.

¹ Between the hours of 4:15 p.m. and 4:45 p.m. the bridge shall be opened at any time for the passage of eastbound sightseeing boats.

(2) The owner or agency controlling the Southeast 9th Avenue detour bridge will not be required to open the drawspan between the hours of 7 a.m., and 6 p.m., for the passage of westbound traffic except on the same schedule as set forth in subparagraph (1) of this paragraph.

(3) This section shall be in effect throughout the period of construction of the tunnel at Southeast 6th Avenue and it shall become null and void upon completion of the tunnel and removal of the detour bridges.

[Regs., January 5, 1959, 823.01 New River, Fla.—ENGWO] (Sec. 5, 28 Stat. 362; 33 U.S.C. 499)

2. Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), § 207.174, establishing and governing the

use of a seaplane restricted area in the Gulf of Mexico, Key West, Florida, is hereby amended, redesignating the boundaries of the area, revising paragraph (a), as follows:

§ 207.174 Gulf of Mexico, seaplane restricted area, Naval Air Station, Key West, Fla.

(a) *The area.* An irregular area north of Key West Island, east of Fleming Key, and north and west of Dredgers Key, bounded as follows: Beginning at latitude 24°34'02", longitude 81°47'36"; thence to latitude 24°35'30", longitude 81°47'36"; thence to latitude 24°35'56", longitude 81°47'50"; thence to latitude 24°35'59", longitude 81°47'42"; thence to latitude 24°35'59", longitude 81°47'19"; thence to latitude 24°35'53", longitude 81°46'26"; thence to latitude 24°35'42", longitude 81°46'11"; thence to latitude 24°35'25", longitude 81°46'29"; thence to latitude 24°35'16", longitude 81°46'29"; thence to latitude 24°35'16", longitude 81°45'59"; thence to latitude 24°35'09", longitude 81°45'59"; thence to latitude 24°35'09", longitude 81°46'29"; thence to latitude 24°34'27", longitude 81°47'14"; thence to latitude 24°34'02", longitude 81°47'20"; and thence to the point of beginning.

[Regs., December 31, 1958, 800.2121 (Gulf of Mexico, Fla.)—ENGWO] (Sec. 7, 40 Stat. 266; 33 U.S.C. 1)

R. V. LEE,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 59-482; Filed, Jan. 19, 1959; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 1778]

[Wyoming 060218]

WYOMING

Withdrawing Public Lands for Use of the Bureau of Land Management as an Administrative Site

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Wyoming are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral-leasing laws but not the disposal of materials under the act of July 31, 1947 (61 Stat. 681; 69 Stat. 367; 30 U.S.C. 601-604) as amended, and reserved for use of the Bureau of Land Management as an administrative site:

FIFTH PRINCIPAL MERIDIAN

T. 19 N., R. 105 W.
Sec. 22, lots 22 and 23.

The areas described contain 11.21 acres.

ROGER ERNST,
Assistant Secretary of the Interior.

JANUARY 14, 1959.

[F.R. Doc. 59-492; Filed, Jan. 19, 1959; 8:46 a.m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Office of the Secretary

MISSISSIPPI

Designation of Area for Production Emergency Loans

For the purpose of making production emergency loans pursuant to section 2(a) of Public Law 38, 81st Congress (12 U.S.C. 1148a-2(a)), as amended, it has been determined that in Monroe County, Mississippi, a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Pursuant to the authority set forth above, production emergency loans will not be made in the above-named county after December 31, 1959, except to applicants who previously received such assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 15th day of January 1959.

[SEAL]

TRUE D. MORSE,
Acting Secretary.

[F.R. Doc. 59-513; Filed, Jan. 19, 1959; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Bureau Order No. 541, Amdt. 16]

REDELEGATIONS OF AUTHORITIES CONCERNED WITH LANDS AND RESOURCES

JANUARY 13, 1959.

Redelegations of authorities concerned with lands and resources are amended as follows:

PART I—REDELEGATIONS OF AUTHORITY TO AREA ADMINISTRATORS

1. Section 1.5 is amended to read:

SEC. 1.5 *Classifications and withdrawals.* The area administrators may take the following actions:

(a) *Classification of lands.* Classify public lands under section 7 of the Taylor Grazing Act of June 28, 1934, as amended (43 U.S.C. 315f), or pursuant to other laws.

(b) *Orders of withdrawal and restoration.* (1) Issue orders of restoration, where revocation or modification of a withdrawal or reservation is not involved and where an order of revocation provides for opening of the lands by an au-

thorized officer of the Bureau. All such orders shall be published in the FEDERAL REGISTER.

(2) Determine, pursuant to 43 CFR Part 295, with the concurrence of the Administrator of General Services or his delegate, when required, that specified lands withdrawn or reserved from the public domain, and subsequently declared excess to the needs of the agency for which withdrawn or reserved are suitable or not suitable for return to the public domain for disposition under the general public land laws.

2. Section 1.9(u) is amended by adding subparagraph (8) as follows:

(8) *Shore space restrictions.* Take all actions in connection with the waiver, pursuant to the Act of June 5, 1920, as amended (48 U.S.C. 372), and 43 CFR Part 77, of the 160 rod restriction as to the length of claims along the shores of navigable waters in Alaska.

3. Subparagraph (5) of section 1.9(p) is revoked and the present subparagraph (6) is renumbered subparagraph (5).

PART III—REDELEGATION TO LAND OFFICE MANAGERS

4. Section 3.9(u) is amended by adding subparagraph (8) as follows:

(8) *Shore space restrictions.*

EDWARD WOOZLEY,
Director.

[F.R. Doc. 59-499; Filed, Jan. 19, 1959; 8:47 a.m.]

GRAZING FEES Notice of Change

JANUARY 15, 1959.

Notice is hereby given that in accordance with Departmental regulations (43 CFR 161.8), the grazing fees to be charged for the use of the Federal range, commencing January 1, 1959, will be 22 cents per animal unit month of forage. In computing the charge to be made, the following rates shall apply:

	Cents
1. One cow grazing for one month...	22
2. One horse grazing for one month...	44
3. One sheep or goat grazing for one month.....	04.4

No fees will be charged for livestock under six months of age.

This fee is based upon the livestock marketing data furnished by the Agricultural Marketing Service, United States Department of Agriculture, and applies to all grazing use authorized pursuant to section 3 of the Taylor Grazing Act. Twenty-five percent of the total fee collected shall be credited to the range improvement fund.

A minimum annual charge of \$5 will be made on all regular licenses, permits, and nonrenewable licenses.

All billings will be issued in accordance with the rates prescribed in this notice.

EARL J. THOMAS,
Acting Director.

[F.R. Doc. 59-500; Filed, Jan. 19, 1959; 8:48 a.m.]

ALASKA

Proposed Withdrawal and Reservation of Lands

The Department of the Air Force has filed an application, Serial Number F-022245 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws. The applicant desires the land for an addition to an air defense site.

For a period of sixty days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, P.O. Box 1050, Fairbanks, Alaska.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

FAIRBANKS AREA

PARCEL 1

T. 2 S., R. 3 E., F.M.

Sec. 7: E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$.

Containing 7.5 acres, more or less.

PARCEL 2

T. 2 S., R. 3 E., F.M.

Sec. 7: E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Containing 7.5 acres, more or less.

RICHARD L. QUINTUS,
Operations Supervisor,
Fairbanks.

[F.R. Doc. 59-516; Filed, Jan. 19, 1959;
8:48 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary
MAX L. BLUESTONE

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the past six months:

A. Deletions: United States Steel Corporation, Erie Railroad Company, Commercial Solvent.

B. Additions: Upjohn Company, Alumin Limited, G. D. Searle Company.

This statement is made as of January 8, 1959.

MAX L. BLUESTONE.

[F.R. Doc. 59-496; Filed, Jan. 19, 1959;
8:47 a.m.]

ODIE EDWARD WALKER

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past six months:

A. Deletions: No change.

B. Additions: No change.

This statement is made as of December 26, 1958.

Dated: January 5, 1959.

ODIE EDWARD WALKER.

[F.R. Doc. 59-497; Filed, Jan. 19, 1959;
8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. SR-2192]

WILLIAM PETER CAREY SAFETY ENFORCEMENT

Notice of Change of Time of Oral Argument

Notice is hereby given that the oral argument in the above-entitled proceeding now assigned for 10:00 a.m., January 21, is postponed to 2:15 p.m., e.s.t., Room 5042, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D.C., before the Board.

Dated at Washington, D.C., January 15, 1959.

[SEAL]

FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 59-515; Filed, Jan. 19, 1959;
8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-17331, etc.]

MAGNOLIA PETROLEUM CO. ET AL.
Order for Hearings and Suspending Proposed Changes in Rates

JANUARY 13, 1959.

In the matter of Magnolia Petroleum Company, Docket Nos. G-17331 and G-17332; Magnolia Petroleum Company (operator) et al., Docket Nos. G-17333 and G-17334.

In the Order For Hearings And Suspending Proposed Changes In Rates issued December 31, 1958 and published in the FEDERAL REGISTER on January 7, 1959 (23 F.R.; 182), under Docket No. G-17332 and the Ordering Clause the words "Supplement No. 1 to Magnolia Petroleum Company Gas Rate Schedule No. 96" should be corrected to read "Supplement No. 7 to Magnolia Petroleum Company Gas Rate Schedule No. 96".

[SEAL]

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-484; Filed, Jan. 19, 1959;
8:45 a.m.]

[Docket No. G-13082]

SOUTHERN NATURAL GAS CO.

Notice of Petition To Amend Certificate Order

JANUARY 13, 1959.

Take notice that on August 19, 1958, Southern Natural Gas Company filed a petition in Docket No. G-13082 to amend the certificate of public convenience and necessity issued to it on April 18, 1958, authorizing construction of certain natural gas pipeline facilities as parts of its integrated pipeline system, among which facilities so authorized is a segment of pipeline consisting of approximately 7.5 miles of 10 $\frac{3}{4}$ -inch and 11.5 miles of 8 $\frac{1}{2}$ -inch pipe extending from White Castle-South Section 28 line to the Loisel field. Petitioner proposes to substitute for the facility just described another facility extending from the same point in gas field but over a different route to a point about 10 miles west of the authorized point of interconnection with White Castle-South Section 28 line and the size of the whole line to be 10 $\frac{3}{4}$ -inch O.D.

The reason for the proposed change of facilities is to avoid the necessity of crossing two waterways which are now being deepened and enlarged by the United States Army Corps of Engineers and to save approximately \$500,000 in costs of the pipeline to conform to the new waterways and levy conditions and for other reasons stated in the petition.

Protests or petitions to intervene in this proceeding may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 2, 1959.

[SEAL]

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-485; Filed, Jan. 19, 1959;
8:45 a.m.]

[Docket Nos. G-16285, G-16286]

NARRAGANSETT ELECTRIC CO. AND SOUTH COUNTY GAS CO.

Notice of Applications and Date of Hearing

JANUARY 14, 1959.

In the matters of the Narragansett Electric Company, Docket No. G-16285; South County Gas Company, Docket No. G-16286.

Take notice that the Narragansett Electric Company (Narragansett) and South County Gas Company (South County) filed applications on September 10, 1958, pursuant to section 7 of the Natural Gas Act for permission and approval to abandon natural gas facilities and service and for a certificate of public convenience and necessity authorizing the acquisition and operation of natural gas facilities respectively, as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the respective applications herein, which are on file with the Commission and open to public inspection.

Narragansett in its application in Docket No. G-16285 seeks permission and approval to abandon by sale to South County the natural gas facilities and service presently rendered through its Westerly Gas Division.

South County by its application in Docket No. G-16286, seeks a certificate of public convenience and necessity authorizing the acquisition by purchase and the operation of such facilities and the continuation of such service as is proposed to be abandoned by Narragansett.

The Applications state that Narragansett's Westerly Gas Division properties comprise a completely separate gas system unrelated to its other electric and gas facilities. They consist of a natural gas transmission system of about 1.5 miles of 6 to 16 inch lines and distribution system centered in and about the community of Westerly, Rhode Island, and are used to distribute and sell gas at retail in Westerly and to transport gas for the Pequot Gas Company for distribution in Connecticut.

Narragansett further states that as a part of its plan for separating its gas properties from its electric properties, it desires to abandon its Westerly Division facilities and service in favor of their acquisition by South County. South County will continue to render the retail service in Westerly and the transportation service for the Pequot Gas Company.

For the facilities it is to acquire from Narragansett, South County will pay the sum of \$40,000, plus the cost of certain additions made from July 1, 1958 to the date of actual transfer, estimated as approximately \$2,000.

South County states that the necessary funds for the purchase of Narragansett facilities and to furnish working capital will be provided by four individuals who will advance \$60,000 to South County. In return, these individuals will receive common stock of South County in the amount of \$39,970. The remainder of the advance will be carried on the books as an open debt at 5 percent interest.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on February 12, 1959 at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 2, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL]

JOSEPH H. GUTRIDE,
Secretary.

[F.R. (Doc. 59-486; Filed, Jan. 19, 1959;
8:45 a.m.)]

[Docket No. G-17436]

PAUL M. RAIGORODSKY

Order for Hearing, Suspending Proposed Change in Rate, and Allowing Changed Rate To Become Effective

JANUARY 13, 1959.

Paul M. Raigorodsky (Raigorodsky), on December 15, 1958, tendered for filing a proposed change in his presently effective rate schedule¹ for the sales of natural gas subject to the jurisdiction of the Commission. The proposed change is contained in the following designated filing:

Description: Notice of Change, undated.
Purchaser: Mississippi River Fuel Corporation.

Rate schedule designation: Supplement No. 6 to Raigorodsky's FPC Gas Rate Schedule No. 1.

Effective date: January 15, 1959 (effective date is the first day following statutory notice).

In support of the proposed rate and charge, Raigorodsky has interpreted the tax provisions of the rate schedule to the effect that the tax reimbursement for the increase in the Louisiana severance tax will be at the same reimbursement level that Raigorodsky received for the Louisiana gathering tax. Although the rate schedule is sufficiently ambiguous to obtain other than that effect Raigorodsky gives no explicit explanation of his interpretation of the contract provisions, but merely states that the claimed reimbursement is in accordance with the meaning of the contract when originally executed.

The changed rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory or preferential or otherwise unlawful.

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be sus-

¹Rate and charge set out in Supplement No. 5 to Raigorodsky's FPC Gas Rate Schedule No. 1 is currently in effect subject to refund in Docket No. G-15862.

pending and the use thereof deferred as hereinafter ordered.

(2) It is necessary and proper in the public interest in carrying out the provisions of the Natural Gas Act that Raigorodsky's proposed increased rate be made effective as hereinafter provided and that Raigorodsky be required to file an undertaking as hereinafter ordered and conditioned.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 6 to Raigorodsky's FPC Gas Rate Schedule No. 1.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until January 16, 1959, and thereafter until such further time as it is made effective in the manner hereinafter prescribed.

(C) The rate, charge and classification set forth in the above-designated supplement shall be effective on January 16, 1959: *Provided, however*, That within 20 days from the date of this order Raigorodsky shall execute and file with the Secretary of the Commission the agreement and undertaking described in paragraph (E) below.

(D) Raigorodsky shall refund at such times and in such amounts to the persons entitled thereto, and in such manner as may be required by final order of the Commission, the portion of the increased rates found by the Commission in this proceeding not justified, together with interest thereon at the rate of six percent per annum from the date of payment to Raigorodsky until refunded; shall bear all costs of any such refunding; shall keep accurate accounts in detail of all amounts received by reason of the changed rate and charge allowed by this order to become effective, for each billing period, specifying by whom and in whose behalf such amounts were paid; and shall report (original and one copy), in writing and under oath, to the Commission monthly, or quarterly if Raigorodsky so elects, for each billing period, and for each purchaser, the billing determinants of natural gas sales to such purchasers and the revenues resulting therefrom, as computed under the rate in effect immediately prior to the date upon which the changed rate allowed by this order become effective, and under the rate allowed by this order to become effective, together with the differences in the revenues so computed.

(E) As a condition of this order, within 20 days from the date of issuance thereof, Raigorodsky shall execute and file in triplicate with the Secretary of this Commission his written agreement and undertaking to comply with the terms of paragraph (D) hereof, as follows:

Agreement and Undertaking of Paul M. Raigorodsky to Comply with the Terms and Conditions of Paragraph (D) of Federal Power Commission's Order Making Effective Proposed Rate Change

In conformity with the requirements of the order issued _____, in Docket No. G-17436, Paul M. Raigorodsky hereby agrees and undertakes to comply with the terms and conditions of Paragraph (D) of said order, and for that purpose has caused this agreement and undertaking to be executed.

PAUL M. RAIGORODSKY

Date _____

Witness

Unless Raigorodsky is advised to the contrary within 15 days after the date of filing such agreement and undertaking, the agreement and undertaking shall be deemed to have been accepted.

(F) If Raigorodsky shall, in conformity with the terms and conditions of paragraph (D) of this order, make the refunds as may be required by order of the Commission, the undertaking shall be discharged; otherwise it shall remain in full force and effect.

(G) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until the period of suspension has expired, unless otherwise ordered by the Commission.

(H) Interested state commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-501; Filed, Jan. 19, 1959;
8:48 a.m.]

[Docket No. G-17440]

SHELL OIL CO.

Order for Hearing and Suspending Proposed Change in Rates

JANUARY 13, 1959.

Shell Oil Company (Shell) on December 15, 1958, tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated December 11, 1958.

Purchaser: Kansas-Nebraska Natural Gas Company, Inc.

Rate schedule designation: Supplement No. 1 to Shell's FPC Gas Rate Schedule No. 150.

Effective date: February 1, 1959 (effective date is the effective date proposed by Shell).

In support of the proposed periodic rate increase, Shell states that the contract was negotiated at arm's length, that the pricing provisions thereof were an important consideration to Shell to enter into the contract, and that the proposed rate is based upon a fixed escalation provision which has not been

found to be contrary to the public interest.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 1 to Shell's FPC Gas Rate Schedule No. 150 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 1 to Shell's FPC Gas Rate Schedule No. 150.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until July 1, 1959, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-502; Filed, Jan. 19, 1959;
8:48 a.m.]

[Docket No. G-17441]

AMERADA PETROLEUM CORP.

Order for Hearing and Suspending Proposed Changes in Rates

JANUARY 13, 1959.

Amerada Petroleum Corporation (Amerada) on December 15, 1958, tendered for filing proposed changes in its presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filings:

Description: (1) Supp. Agreement,¹ dated November 28, 1958. (2) Notice of Change,

¹ Redetermination of rate from 15.0 cents to 16.0 cents per Mcf.

dated December 12, 1958. (3) Agreement,² dated August 24, 1958. (4) Supp. Agreement,³ dated November 28, 1958. (5) Notice of Change, dated December 13, 1958.

Purchaser: Colorado Interstate Gas Company.

Rate schedule designation: (1) Supplement No. 2 to Amerada's FPC Gas Rate Schedule No. 42. (2) Supplement No. 3 to Amerada's FPC Gas Rate Schedule No. 42. (3) Supplement No. 11 to Amerada's FPC Gas Rate Schedule No. 23. (4) Supplement No. 12 to Amerada's FPC Gas Rate Schedule No. 23. (5) Supplement No. 13 to Amerada's FPC Gas Rate Schedule No. 23.

Effective date: January 15, 1959 (effective date is the first day after expiration of the required thirty days' notice).

In support of the proposed redetermined rate increases, Amerada submits supplemental agreements providing for a redetermined price pursuant to the terms of the original contracts. Under the amended contracts, Colorado Interstate Gas Company agrees to take delivery of gas ratably from all of the wells connected to buyer's field gathering system in lieu of having to purchase the "allowable" assigned to the leases of any one rate schedule. In the event allowables are assigned to individual wells, the amended contracts provide that the minimum take shall be based on total reserves rather than on a well to well basis. Further, in lieu of price redeterminations at five-year intervals the amended contracts provide for periodic increases until December 31, 1973, and for price redeterminations for each five-year period thereafter. Amerada states that its price increases were agreed upon after arm's length bargaining and that the amendatory agreements provide for fixed price escalations in lieu of the indefinite pricing clauses contained in the original contracts.

The increased rates and charges so proposed have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that Supplements Nos. 2 and 3 to Amerada's FPC Gas Rate Schedule No. 42, and Supplements Nos. 11, 12 and 13 to Amerada's FPC Gas Rate Schedule No. 23, be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rates and

² Provides for sales in Greenwood Field at 15.0 cents per Mcf with provisions for redetermination of rate after December 31, 1958.

³ Redetermines rate from 15.0 cents to 16.0 cents per Mcf as per contract dated August 24, 1955.

charges contained in Supplements Nos. 2 and 3 to Amerada's FPC Gas Rate Schedule No. 42, and Supplements Nos. 11, 12 and 13 to Amerada's FPC Gas Rate Schedule No. 23.

(B) Pending such hearing and decision thereon, said supplements be and they are each hereby suspended and the use thereof deferred until June 15, 1959, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended nor the rate schedules sought to be altered thereby shall be changed until this proceeding has been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-503; Filed, Jan. 19, 1959;
8:48 a.m.]

[Docket No. G-17442]

SHELL OIL CO.

Order For Hearing and Suspending Proposed Changes in Rates

JANUARY 13, 1959.

Shell Oil Company (Shell) on December 16, 1958, tendered for filing proposed changes in its presently effective rate schedules¹ for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filings:

Description: Notices of Change, dated December 11, 1958.

Purchaser: Texas Eastern Transmission Corporation.

Rate schedule designation: Supplement No. 12 to Shell's FPC Gas Rate Schedule No. 4. Supplement No. 12 to Shell's FPC Gas Rate Schedule No. 5.

Effective date: February 1, 1959 (effective date is the effective date proposed by Shell).

In support of the proposed redetermined rate increases, Shell submits letters dated October 31, 1958, wherein Texas Eastern Transmission Corporation agrees to the higher rates, based upon the arithmetic average of the three highest prices paid by three different transporters within Texas Railroad Commission District No. 2. Shell also cites the contract provisions and mentions arm's length bargaining.

The increased rates and charges so proposed have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to

aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that Supplements No. 12 to Shell's FPC Gas Rate Schedules Nos. 4 and 5, respectively, be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in Supplements No. 12 to Shell's FPC Gas Rate Schedules Nos. 4 and 5, respectively.

(B) Pending such hearing and decision thereon, said supplements be and they are each hereby suspended and the use thereof deferred until July 1, 1959, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended nor the rate schedules sought to be altered thereby shall be changed until this proceeding has been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-504; Filed, Jan. 19, 1959;
8:48 a.m.]

[Docket No. G-17443]

CHARLES T. McCORD, JR., ET AL.

Order for Hearing and Suspending Proposed Change in Rates

JANUARY 13, 1959.

Charles T. McCord, Jr. (Operator), et al. (McCord), on December 17, 1958, tendered for filing a proposed change in his presently effective rate schedule¹ for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated December 15, 1958.

Purchaser: Texas Eastern Transmission Corporation.

Rate schedule designation: Supplement No. 2 to McCord's FPC Gas Rate Schedule No. 1.

Effective date: January 17, 1959 (effective date is the first day after expiration of the required thirty days' notice).

In support of the proposed periodic rate increase, McCord merely cites the

pertinent pricing provisions of the contract.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 2 to McCord's FPC Gas Rate Schedule No. 1 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 2 to McCord's FPC Gas Rate Schedule No. 1.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until June 17, 1959, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-505; Filed, Jan. 19, 1959;
8:48 a.m.]

GENERAL SERVICES ADMINISTRATION

MULLITE HELD IN NATIONAL STOCKPILE

Proposed Disposition

Pursuant to the provisions of section 3(e) of the Strategic and Critical Materials Stock Piling Act, 53 Stat. 811, as amended, 50 U.S.C. 98b(e), notice is hereby given of a proposed disposition of approximately 3,664 short tones of mullite (calcined kyanite) now held in the national stockpile.

The Office of Civil and Defense Mobilization has made a revised determination, pursuant to section 2(a) of the Strategic and Critical Materials Stock Piling Act, that there is no longer any need for stockpiling said mullite. The revised determination was by reason of

¹Present rates previously suspended and are now in effect subject to refund in Docket No. G-14926.

¹Present rate previously suspended and is now in effect subject to refund in Docket No. G-13925.

obsolescence of the stockpiled mullite for use in time of war and was based upon the finding of the Office of Civil and Defense Mobilization that new and better forms of mullite, within the meaning of section 3(e)(2) of the Act, have been developed.

GSA proposes to sell said mullite by competitive bidding. Since the quantity to be disposed of is small in relation to current consumption of mullite, the entire tonnage will be offered for sale at one time. It is believed that this plan of disposition will protect the United States against avoidable loss on the sale of the mullite and will also protect producers, processors and consumers against avoidable disruption of their usual markets.

It is proposed to make the mullite covered by this notice available for sale beginning six months after the date of publication of this notice in the FEDERAL REGISTER.

Dated: January 13, 1959.

FRANKLIN FLOETE,

Administrator of General Services.

[F.R. Doc. 59-498; Filed, Jan. 19, 1959; 8:47 a.m.]

DEPARTMENT OF DEFENSE

Office of the Secretary

ASSISTANT SECRETARIES OF DEFENSE (PROPERTIES AND INSTALLATIONS) AND (SUPPLY AND LOGISTICS)

Delegation of Authority Concerning the National Industrial Reserve

Pursuant to section 202(f) of the National Security Act of 1947, as amended (63 Stat. 581), and section 5 of Reorganization Plan No. 6 of 1953 (67 Stat. 639), the Assistant Secretary of Defense (Properties and Installations) as to the plant reserve, and the Assistant Secretary of Defense (Supply and Logistics) as to the machine tool and production equipment reserve, are hereby authorized to exercise the responsibilities of the Secretary of Defense under the National Industrial Reserve Act of 1948 (62 Stat. 1225).

NEIL MCELROY,
Secretary of Defense.

JANUARY 7, 1959.

[F.R. Doc. 59-483; Filed, Jan. 19, 1959; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice No. 73]

MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 15, 1959.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

No. 13—3

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 61347. By order of January 9, 1959, The Transfer Board approved the transfer to Roy Stover, doing business as Stover Livestock Company, Redfield, S. Dak., of Certificate in No. MC 114357 Sub 1, issued April 26, 1955, to Roy W. Gallup and Clayton T. Gallup, a partnership, doing business as Gallup Livestock Company, Redfield, S. Dak., authorizing the transportation of: *Livestock, farm machinery and implements, fresh fruits and vegetables, petroleum products, in containers, Milled livestock feeds, and Grain* between specified points in South Dakota, Minnesota, North Dakota, Iowa, and Nebraska. Raymond A. Gallagher, Packard Bldg., Redfield, S. Dak., for applicants.

No. MC-FC 61592. By order of January 9, 1959, The Transfer Board approved the transfer to William T. Herron, Marietta, Ohio, of Certificate in No. MC 113300, issued March 12, 1957, to Glen E. Buchanan, Marietta, Ohio, authorizing the transportation of: *Coal, and Such commodities*, as are susceptible of being unloaded by dumping, in dump trucks, from, to, and between specific points in Ohio and West Virginia. Clarence I. Schafer, P.O. Box 532, Riley Law Bldg., Wheeling, W. Va., for applicants.

No. MC-FC 61689. By order of January 9, 1959, The Transfer Board approved the transfer to William J. Lobb, Inc., Pen Argyl, Pa., of Certificates in Nos. MC 5692 and MC 5692 Sub 5, issued April 5, 1941, and January 11, 1951, respectively, to William J. Lobb, Pen Argyl, Pa., authorizing the transportation of: *General commodities*, with the usual exceptions including household goods, *Petroleum products*, in containers, *building materials and supplies, iron, steel, lumber, and pipes and filling, Boilers and heavy machinery, slate and slate products, and materials and supplies* used in the installation of slate and slate products from, to, and between various specified points in Pennsylvania, Delaware, Connecticut, Maryland, Massachusetts, New Jersey, New York, North Carolina, Rhode Island, Virginia, The District of Columbia, and South Carolina, and *Household goods* between Pen Argyl, Pa., and points within 30 miles thereof, on the one hand, and, on the other, points in New York and New Jersey. Albert E. Enoch, 556 Main St., Bethlehem, Pa., for applicants.

No. MC-FC 61691. By order of January 9, 1959, The Transfer Board approved the transfer to Cleo J. Carbary, doing business as Cleo J. Carbary Trucking Company, Kawkawlin, Mich., of a portion of the operating rights described in Certificate No. MC 50935 issued July

13, 1951, to Wolverine Trucking Company, a Corporation, Detroit, Mich., authorizing the transportation, over irregular routes, of malt beverages, from Milwaukee, Wis., across Lake Michigan by ferry to Grand Haven, Mich., thence to points in Saginaw and Bay Counties, Mich.; malt beverages, soft drinks, and beverage compounds, from Milwaukee, Wis., across Lake Michigan to Muskegon, Mich., thence to points in Saginaw and Bay Counties, Mich.; from Milwaukee, Wis., to points in Saginaw and Bay Counties, Mich., via Chicago, Ill.; from Chicago and Maywood, Ill., and Cleveland, Ohio to points in Saginaw and Bay Counties, Mich.; and empty beverage containers and cases, from the above-specified destination points to the above-specified origin points. Wilhelmina Boersma, 2850 Penobscot Bldg., Detroit 26, Mich., for applicants.

No. MC-FC 61751. By order of January 9, 1959, The Transfer Board approved the transfer to Hahn Truck Line, Inc., Hutchinson, Kans., of Certificates Nos. MC 52898, MC 52898 Sub 1 and MC 52898 Sub 3, issued July 2, 1953, February 28, 1957, and October 22, 1958, respectively, to Leon Hahn, Hutchinson, Kans., authorizing the transportation of: *Lubricating oils and greases in containers, from Oklahoma City, Okla., to Stuttgart, Jonesboro, Manila, and Newport, Ark., Burlington, Stonington, Walsh, Campo, and Edler, Colo., and points in Kansas; empty containers in return movements; agricultural implements and machinery, from Wichita, Kans., and Plainview, Tex., to points in Grady County, Okla.; fence posts, from Little Rock, Ark., to points in Grady County, Okla.; Lumber, from DeQueen, Ark., to points in Grady County, Okla.; cotton gin machinery, from Dallas, Tex., to points in Grady County, Okla.; cottonseed products, from Chickasha, Okla., to Kansas City, and Topeka, Kans.; livestock, from points within a territory in Oklahoma, to Wichita, Kans., and Kansas City, Mo.; combines and tractors, from Independence, Mo., to points in a specified Oklahoma territory; Agricultural implements and farming and road machinery, from Wichita, Kans., to points in the specified Oklahoma territory; cream, from points in Oklahoma, to Wichita, and Hutchinson, Kans.; Salt, from Hutchinson, and Lyons, Kans., to points in Oklahoma; combines and agricultural implements, between Independence, Mo., on the one hand, and, on the other, points in a specified Kansas territory; and greases, lubricating oils, household sprays and anti-freeze in containers, in truckloads of not less than 15,000 pounds, from Oklahoma City, Okla., to points in Nebraska. Rufus H. Lawson, P.O. Box 7342, Oklahoma City, Okla., for applicants.*

No. MC-FC 61774. By order of January 7, 1959, The Transfer Board approved the transfer to J & J Trucking, Inc., Parma, Ohio, of Permits Nos. MC 115024 and MC 115024 Sub 2, issued March 22, 1956 and March 13, 1958, respectively, to John J. Smith Trucking, Inc., Cleveland, Ohio, authorizing the transportation of: *Asphalt roofing materials, from Cleveland, Ohio, to desig-*

nated points in lower peninsula of Michigan; salt in truckloads, from Manistee, Mich., to points in Ohio; salt, from Manistee, Mich., to points in that part of Pennsylvania on and west of U.S. Highway 219; and empty containers or other such incidental facilities used in transportation of salt, from points in the above portion of Pennsylvania, to Manistee, Mich. G. H. Dilla, 3350 Superior Ave., Cleveland, Ohio, for applicants.

No. MC-FC 61775. By order of January 9, 1959, The Transfer Board approved the transfer to Charles O. Ingmire, Incorporated, Emporium, Pa., of certificate in No. MC 115276, issued May 4, 1956, to Charles O. Ingmire, Driftwood, Pa., now Indiana, Pa., authorizing the transportation of: *Machinery, equipment, materials, and supplies*, used in, or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and byproducts; and *machinery, equipment, materials, and supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, except the stringing and picking up of pipe in connection with main lines, between points in Pennsylvania, West Virginia, Ohio, and Mary-

land. Richard J. Price, 8 East 5th St., Emporium, Pa., for applicants.

No. MC-FC 61816. By order of January 9, 1959, The Transfer Board approved the transfer to Harry Summer, doing business as Pacific Packing & Warehousing Co., Brooklyn, N. Y., of a portion of the operating rights in Certificate No. MC 67200 Sub 10, issued January 2, 1958, to The Furniture Transport Company, Inc., authorizing the transportation of household goods, between Gardner, Mass., and points in Massachusetts within 15 miles thereof, on the one hand, and, on the other, points in Connecticut, Maine, New Hampshire, New York, Rhode Island, and Vermont; between New York N.Y., on the one hand, and, on the other, points in Maryland, Massachusetts, Rhode Island, Virginia and the District of Columbia; and from New York, N.Y., to points in Connecticut, New Jersey, New York, and Pennsylvania. Louis B. Bruman, 117 Liberty Street, New York 6, N.Y.

No. MC-FC 61830. By order of January 9, 1959, The Transfer Board approved the transfer to Clifford Hildebrandt, doing business as Hildebrandt's Transportation Co., Carlstadt, N.J., of Certificate No. MC 18091 issued June 12, 1941, to Paul Hildebrandt, doing business as Hildebrandt's Transportation Co., Carlstadt, N.J., authorizing the transportation of general commodities, excluding household goods and other specified commodities, over irregular

routes, between New York, N.Y., and points in Westchester County N.Y., on the one hand, and, on the other, points in Hudson, Bergen, Passaic, Essex, Middlesex, Union, Somerset, and Morris Counties, N.J., and pocket books and pocket book material and supplies, over irregular routes, between New York, N.Y., Pennsburg, Pa., and South Norwalk and Bridgeport, Conn. George A. Olsen, 69 Tonnele Ave., Jersey City 6, N.J., for applicants.

No. MC-FC 61859. By order of January 9, 1959, The Transfer Board approved the transfer to Moore Service Inc., El Paso, Texas, of Certificate No. MC 29679 issued by the Commission April 30, 1953, amended August 25, 1958, to Fred Parrish, doing business as Parrish Stage Lines, Silver City, New Mexico, authorizing the transportation of passengers and their baggage, and express, newspapers and mail, in the same vehicle with passengers, over regular routes, between Silver City, N. Mex., and El Paso, Tex., and all intermediate points, and the off-route points of Bayard, Vanadium, and Santa Rita, N. Mex. Charles B. Moore, Moore Service, Inc., P.O. Box 77, El Paso, Texas, for transferee. Fred Parrish, dba Parrish Stage Lines, P.O. Box 882, Silver City, New Mexico, for transferor.

[SEAL]

HAROLD D. MCCOY,
Secretary.

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